## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

: CIVIL ACTION

IN RE HERLEY INDUSTRIES INC. :

SECURITIES LITIGATION : No. 06-2596

:

## **ORDER**

AND NOW, this 28<sup>th</sup> day of January, 2010, it is ORDERED Plaintiffs' Motion for Partial Summary Judgment (Doc. 158) is DENIED.

It is further ORDERED Defendants' Motion for Summary Judgment (Doc. 160) is DENIED.

BY THE COURT:

\s\ Juan R. Sánchez

Juan R. Sánchez, J.